

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-11534-MAP

NELSON R. ROUETTE, et al.,

Plaintiff(s)

vs.

MACHINE & ELECTRICAL
CONSULTANTS, INC., et al.,

Defendant(s)

**PARTIES JOINT STATEMENT
PURSUANT TO LOCAL RULE
16.1(D)**

In accordance with the United States District Court for the District of Massachusetts Local Rule 16.1(D) and the Court's Notice of Scheduling Conference, the Plaintiffs and the Defendants met to prepare a Joint Statement setting forth a proposed pre-trial schedule. The parties were able to agree to all of the scheduled items contained herein.

I. Joint Discovery Plan – Scheduling the Time and Length of all Discovery Events:

- A. Written Discovery:** All Interrogatories, Requests for Production of Documents and Requests for Admissions shall be served upon opposing counsel by March 1, 2005;
- B. Joinder of Additional Party:** All additional parties are to be joined by January 1, 2005;
- C. Deposition of Fact Witnesses:** The depositions of all fact witnesses to be completed by May 1, 2005;
- D. Identification of Expert Witnesses:** The Plaintiffs shall identify their expert witnesses pursuant to Fed. R. Civ. P. 26(b)(4)(a)(i) by May 1, 2005;

The Defendants shall identify all expert witnesses pursuant to Fed. R. Civ. P. 26(b)(4)(a)(i) by June 1, 2005;

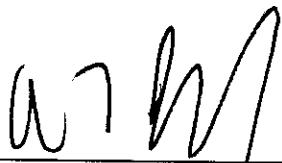
E. Depositions of Expert Witnesses: Depositions of all Plaintiffs' experts shall be completed by June 1, 2005; Depositions of all Defendants' experts shall be completed by July 1, 2005;

II. Proposed Schedule of Filing Motions: All Fed. R. Civ. P. 56 Motions to be filed by August 1, 2005;

III. Final Pre-Trial Conference: A Final Pre-Trial Conference shall be held on September 1, 2005;

IV. Local Rule 16(D)(1) Certifications: Certifications signed by the Defendants, Machine & Electrical Consultants, Inc., et al., and their counsel regarding a litigation budget and the feasibility of engaging in alternative dispute resolution is attached to this proposed Pre-Trial Schedule.

The Plaintiffs,
Nelson Rouette, et al.,
By Their Attorney,



Adam J. Basch, Esquire
Bacon & Wilson, P.C.
33 State Street
Springfield, MA 01103
Ph: (413) 781-0560
Fax: (413) 739-7740
BBO# 655482
September 21, 2004
338968

The Defendants,
Machine & Electrical Consultants, et al.,
By Their Attorneys,


Jeffrey D. Clements, Esq. - #632544
Clements & Clements
50 Federal Street
Boston, MA 02110
Ph: (617) 451-1800
Fax: (617) 451-6060


Keith R. Jacques, Esquire
Smith Elliot Smith & Garmey, P.A.
199 Main Street
P.O. Box 1179
Saco, ME 04072
Ph: (207) 282-1527
Fax: (207) 283-4412
September , 2004

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

NELSON ROUETTE and JAY NEARIS,

Plaintiffs and
Counterclaim Defendants,

vs.

MACHINE & ELECTRICAL
CONSULTANTS, INC., FABIAN DUBE,
and NORM CREPEAU,

Defendants and
Counterclaim Plaintiffs

MACHINE & ELECTRICAL
CONSULTANTS, INC.

Third-Party Plaintiff

vs.

QUALITY MACHINE SOLUTIONS,
INC.

Third-Party Defendant

Civil Action No. 04-11534-MAP

**DEFENDANTS' AND COUNTERCLAIM PLAINTIFF'S CERTIFICATION OF
COMPLIANCE WITH LOCAL RULE 16.1(D)(3)**

Pursuant to Local Rule 16.1(D)(3), the undersigned counsel, the defendants Norm Crepeau and Fabian Dube, and the authorized representative of defendant and counterclaim plaintiff Machine and Electrical Consultants, Inc., certify that they have conferred: (a) with a view to establishing a budget for the costs of conducting the full course, and various alternative courses, of the litigation; and (b) to consider the resolution

of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Respectfully submitted,

MACHINE & ELECTRICAL
CONSULTANTS, INC.


By: Fabian Dube, President

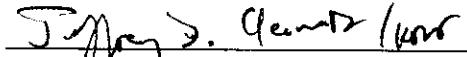
FABIAN DUBE

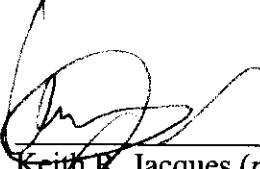


NORM CREPEAU



Counsel:


Jeffrey D. Clements, BBO #632544
Clements & Clements, LLP
50 Federal Street
Boston, MA 02110
(617) 451-1802


Keith R. Jacques (*pro hac vice*)
Smith Elliot Smith & Garmey, P.A.
199 Main Street
P.O. Box 1179
Saco, ME 04072
(207) 282-1527

Dated: September 17, 2004

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was hand delivered to counsel of record for the plaintiff on September 17, 2004.



UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-11534-MAP

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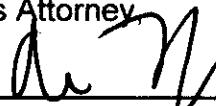
RULE 16(D)(3) CERTIFICATION

This is to certify that Nelson Rouette, has conferred with a view towards establishing a budget for the costs of conducting a full trial in the above-captioned case, and various alternative courses. The undersigned has further discussed the possibility of resolving this litigation through the use of alternative dispute resolution programs. Further information needs to be developed before it can be determined whether this case is appropriate for settlement, ADR or full litigation.

Dated: 7/1/04


Nelson Rouette

Respectfully submitted,
The Plaintiff,
Nelson Rouette,
By his Attorney


ADAM J. BASCH, ESQ.
BACON & WILSON, P.C.
33 State Street
Springfield, MA 01103
Ph: (413) 781-0560
Fax: (413) 739-7740
BBO# 655482
September 1, 2004

CERTIFICATE OF SERVICE

I, ADAM J. BASCH, hereby certify that on the ~~21~~^{September} day of ~~August~~, 2004, I caused a copy of the foregoing Rule 16(D)(3) Certification to be served upon all interested parties by mailing a copy thereof, postage prepaid, first class mail to:

Jeffrey D. Clements
Clements & Clements, LLP
50 Federal Street
Boston, MA 02110

Keith R. Jacques
Smith Elliot Smith & Garmey, P.A.
199 Main Street
P.O. Box 1179
Saco, ME 04072



ADAM J. BASCH

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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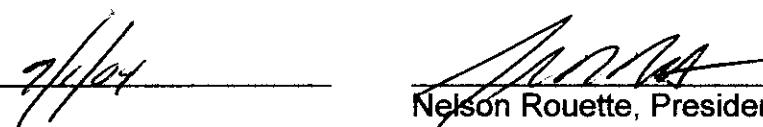
MACHINE & ELECTRICAL
CONSULTANTS, INC., et al.,

Defendant(s)

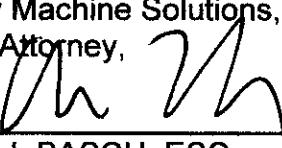
RULE 16(D)(3) CERTIFICATION

This is to certify that Nelson Rouette, President of Quality Machine Solutions, Inc., has conferred with a view towards establishing a budget for the costs of conducting a full trial in the above-captioned case, and various alternative courses. The undersigned has further discussed the possibility of resolving this litigation through the use of alternative dispute resolution programs. Further information needs to be developed before it can be determined whether this case is appropriate for settlement, ADR or full litigation.

Dated: 7/4/04


Nelson Rouette, President
Quality Machine Solutions, Inc.

Respectfully submitted,
The Plaintiff,
Nelson Rouette, President,
Quality Machine Solutions, Inc.
By his Attorney,


ADAM J. BASCH, ESQ.
BACON & WILSON, P.C.
33 State Street
Springfield, MA 01103
Ph: (413) 781-0560
Fax: (413) 739-7740
BBO# 655482
September 1, 2004

CERTIFICATE OF SERVICE

I, ADAM J. BASCH, hereby certify that on the ^{September} 12 day of August, 2004, I caused a copy of the foregoing Rule 16(D)(3) Certification to be served upon all interested parties by mailing a copy thereof, postage prepaid, first class mail to:

Jeffrey D. Clements
Clements & Clements, LLP
50 Federal Street
Boston, MA 02110

Keith R. Jacques
Smith Elliot Smith & Garmey, P.A.
199 Main Street
P.O. Box 1179
Saco, ME 04072


ADAM J. BASCH

FROM : JAY NEARIS

PHONE NO. : 0000000000

Sep. 22 2004 09:33AM P(12)

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-11534-MAP

NELSON R. ROUETTE, et al.,

Plaintiff(s)

vs.

RULE 16(D)(3) CERTIFICATION

MACHINE & ELECTRICAL
CONSULTANTS, INC., et al.,

Defendant(s)

This is to certify that Jay Nearis, has conferred with a view towards establishing a budget for the costs of conducting a full trial in the above-captioned case, and various alternative courses. The undersigned has further discussed the possibility of resolving this litigation through the use of alternative dispute resolution programs. Further information needs to be developed before it can be determined whether this case is appropriate for settlement, ADR or full litigation.

Dated:

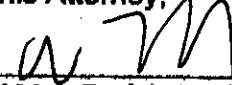
9/22/2004
Jay Nearis

FROM : JAY NEARIS

PHONE NO. : 0000000000

Sep. 22 2004 09:33AM P03

Respectfully submitted,
The Plaintiff,
Jay Nearis,
By his Attorney,


ADAM J. BASCH, ESQ.
BACON & WILSON, P.C.
33 State Street
Springfield, MA 01103
Ph: (413) 781-0560
Fax: (413) 739-7740
BBO# 655482
September 22, 2004

CERTIFICATE OF SERVICE

I, ADAM J. BASCH, hereby certify that on the 22 day of September, 2004, I caused a copy of the foregoing Rule 16(D)(3) Certification to be served upon all interested parties by mailing a copy thereof, postage prepaid, first class mail to:

Jeffrey D. Clements
Clements & Clements, LLP
50 Federal Street
Boston, MA 02110

Keith R. Jacques
Smith Elliot Smith & Garmey, P.A.
199 Main Street
P.O. Box 1179
Saco, ME 04072


ADAM J. BASCH